

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jimmy Tsen et al.  
Serial No. : 09/994,439  
Filed : November 26, 2001  
Title : SHOE

Art Unit : 3728  
Examiner : Unknown

Commissioner for Patents  
Washington, D.C. 20231

REQUEST FOR REFUND

On or about April 3, 2002, Applicants paid the required fees for the Response to Notice to File Missing Parts of Application by way of an enclosed check (Check No. 145027, copy enclosed).

On April 30, 2002, a fee in the amount of \$130.00 was charged to Fish & Richardson's Deposit Account No. 06-1050.

Accordingly, the charge to Deposit Account No. 06-1050 was improper, as all fees had previously been satisfied. Applicants respectfully request that the overcharge amount be refunded to Fish & Richardson's Deposit Account No. 06-1050 as a credit.

Respectfully submitted,

Date: May 22, 2002

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20438508.doc

Timothy A. French  
Reg. No. 30,175

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit May 22, 2002

Signature Timothy A. French

Typed or Printed Name of Person Signing Certificate

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JUL 05 2002

OFFICE OF PETITIONS

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OFFICE





Attorney's Docket No. 06128-266001	Express Mail Label No.	Mailing Date April 3, 2002	<b>For PTO Use Only</b> <i>Do Not Mark in This Area</i>
Application No. 09/994,439	Filing Date November 26, 2001	Attorney/Secretary Init TAF/rml	
Title of the Invention SHOE			
Applicant Jimmy Tsen et al.			
Enclosures • Check in the amount of \$130.00; \$400.00 • Notice to File Missing Parts • Combined Declaration and Power of Attorney (2 pages) • Petition for Extension of Time (2 months) • Other: Petition on Behalf of Joint Inventor Under 37 C.F.R. 1.47(a) to Proceed Upon Refusal of Other Joint Inventors; Declaration Under 37 CFR 1.47(a) as to joint inventor, Jimmy Tsen; Declaration Under 37 CFR 1.47(a) as to joint inventor, Matthew Sumner; Declaration Under 37 CFR 1.47(a) as to joint inventor, Jason L. Nevens			

**FISH & RICHARDSON P.C.**  
225 Franklin Street  
Boston, Massachusetts  
02110-1804

PAY One hundred thirty 4 DOLLARS

TO THE ORDER OF

**COMMISSIONER OF PATENTS AND TRADEMARKS**

DATE: 4/3/02 AMOUNT: 130.

FISH & RICHARDSON P.C.

BY: [Signature]

52-153/112

**Fleet** Fleet Maine, N.A.  
www.fleet.com  
South Portland, ME

06128-266001

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**FR FISH & RICHARDSON P.C.**

229 Franklin Street  
Boston, Massachusetts  
02110-2804

C

145028

PAY

*four hundred*

DOLLARS

TO THE ORDER OF

COMMISSIONER OF PATENTS AND TRADEMARKS

DATE

AMOUNT

*4/3/02* *400*

FISH & RICHARDSON P.C.

52-153/112



Fleet Maine, N.A.  
www.fleet.com  
South Portland, ME

BY

*[Signature]*

*00128-206001 RM*

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BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231



RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 U.S.C. §1.53(b) mailed December 12, 2001 (copy enclosed), applicant as a large entity submits herewith the following:

- ☒ Payment of the surcharge of \$130 for late filing of the basic filing fee and/or declaration;
- ☒ A check in the total amount of \$130 is attached;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- ☒ A Petition under 37 CFR §1.47(a), with supporting declarations; and
- ☒ A Petition for Automatic Extension under 37 CFR §1.136(a), with a check for \$400 in payment of the required fee; Petition on Behalf of Joint Inventors Under 37 CFR 1.47(a) to Proceed upon Refusal of Other Joint Inventors, Declaration Under 37 CFR 1.47(a) as to joint inventor, Jimmy Tsen; Petition on Behalf of Joint Inventors, Declaration Under 37 CFR 1.47(a) as to joint inventor, Matthew Sumner; Petition on Behalf of Joint Inventors, Declaration Under 37 CFR 1.47(a) as to joint inventor, Jason L. Nevens.

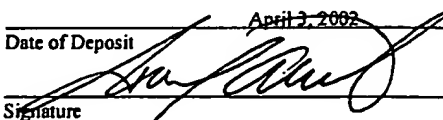
CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

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Date of Deposit April 3, 2002  
Signature 

Timothy A. French  
Typed or Printed Name of Person Signing Certificate

Applicant : Jimmy Tsen et al.  
Serial No. : 09/994,439  
Filed : November 26, 2001  
Page : 2

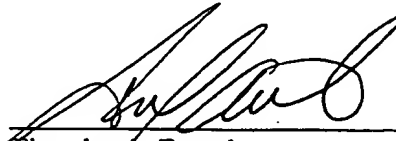
Attorney's D cket No.: 06128-266001

It is understood that this perfects the filing of this patent application, and that no additional papers or filing fees are required at this time. If this understanding is not correct, please contact the undersigned. Please apply any additional charges, or make any credits, to Deposit Account No. 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

April 3, 2002



\_\_\_\_\_  
Timothy A. French  
Reg. No. 30,175

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/994,439	11/26/2001	Jimmy Tsen	06128-266001

TIMOTHY A. FRENCH  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804



CONFIRMATION NO. 9505

## FORMALITIES LETTER



\*OC000000007186749\*

Date Mailed: 12/12/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

M.k.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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